

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

| | | |
|-----------------------------|---|------------------------|
| In re: | § | Case No. 12-33651-H1-7 |
| | § | |
| WESTBURY COMMUNITY HOSPITAL | § | |
| LLC | § | |
| | § | |
| | § | |
| Debtor(s) | | |

**NOTICE OF TRUSTEE'S FINAL REPORT AND
APPLICATION FOR COMPENSATION
AND DEADLINE TO OBJECT (NFR)**

Pursuant to Fed. R. Bankr. P. 2002(a)(6) and 2002(f)(8), please take notice that Allison D. Byman, Trustee of the above styled estate, has filed a Final Report and the Trustee and the Trustee's professionals have filed final fee applications, which are summarized in the attached Summary of Trustee's Final Report and Application for Compensation.

The complete Final Report and all applications for compensation are available for inspection at the Office of the Clerk, at the following address:

515 Rusk Avenue, Houston, TX 77002

Any person wishing to object to any fee application that has not already been approved or to the Final Report, must file a written objection within 21 days from the mailing of this notice, together with a request for a hearing and serve a copy of both upon the Trustee, any party whose application is being challenged and the United States Trustee. If no objections are filed, the Court will act on the fee applications and the Trustee may pay dividends pursuant to FRBP 3009 without further order of the Court.

Date Mailed: 11/28/2016

By: /s/ Allison D. Byman

Allison D. Byman

Allison D. Byman, Trustee
SBN 24040773
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| | § | |
| Debtor(s) | § | |

**SUMMARY OF TRUSTEE'S FINAL REPORT
AND APPLICATION FOR COMPENSATION**

| | |
|--|-----------------------|
| <i>The Final Report shows receipts of</i> | <u>\$1,100,000.00</u> |
| <i>and approved disbursements of</i> | <u>\$1,066,180.62</u> |
| <i>leaving a balance on hand of¹:</i> | <u>\$33,819.38</u> |

Claims of secured creditors will be paid as follows:

| Claim No. | Claimant | Claim Asserted | Allowed Amount of Claim | Interim Payments to Date | Proposed Amount |
|-----------|--|----------------|-------------------------|--------------------------|-----------------|
| 1 | Internal Revenue Service | \$1,475,838.44 | \$0.00 | \$0.00 | \$0.00 |
| 6 | Texas Workforce Commission | \$182,657.20 | \$182,657.20 | \$0.00 | \$0.00 |
| 12 | Harris County et al | \$29,742.30 | \$29,742.30 | \$0.00 | \$0.00 |
| 20 | Lease Corporation of America | \$37,463.88 | \$37,463.88 | \$0.00 | \$0.00 |
| 33 | Det Norske Veritas Healthcare | \$20,000.00 | \$20,000.00 | \$0.00 | \$0.00 |
| 44 | Bayou City Research Ltd | \$79,200.00 | \$79,200.00 | \$0.00 | \$0.00 |
| 48 | Iron Mountain Information Management, Inc. | \$864.00 | \$0.00 | \$0.00 | \$0.00 |
| 49 | 5556 Gasmer Management, LLC | \$791,264.84 | \$791,264.84 | \$0.00 | \$0.00 |
| 52 | 5556 Gasmer Management, LLC | \$66,476.74 | \$66,476.74 | \$0.00 | \$0.00 |
| 54 | Regions Bank | \$3,997,215.08 | \$3,997,215.08 | \$0.00 | \$27,319.38* |

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The Trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of disbursement of the additional interest.

| | | | | | |
|----|---------------------|-------------|-------------|--------|--------|
| 62 | City of Baytown | \$318.48 | \$318.48 | \$0.00 | \$0.00 |
| 67 | Harris County et al | \$22,377.95 | \$22,377.95 | \$0.00 | \$0.00 |

* *Regions Bank is the senior secured creditor (See docket #697; paragraph no. 31)*

Total to be paid to secured creditors: \$27,319.38

Remaining balance: \$6,500.00

Applications for Chapter 7 fees and administrative expenses have been filed as follows:

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|---|------------------------|---------------------------------|-------------------------|
| Allison Byman, Chapter 7 Trustee Fees | \$0.00 | \$0.00 | \$0.00 |
| Allison Byman, Chapter 7 Trustee Expenses | \$0.00 | \$0.00 | \$0.00 |
| KenWood & Associates, PC, Accountant for Trustee Fees | \$12,717.00 | \$12,717.00 | \$0.00 |
| KenWood & Associates, PC, Accountant for Trustee Expenses | \$328.10 | \$328.10 | \$0.00 |
| United States Trustee, U.S. Trustee Quarterly Fees | \$6,500.00 | \$0.00 | \$6,500.00 |

Total to be paid for Chapter 7 administrative expenses: \$6,500.00

Remaining balance: \$0.00

Applications for prior Chapter 11 fees and administrative expenses have been filed as follows:

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|---|------------------------|---------------------------------|-------------------------|
| Allison Byman, Chapter 11 Trustee Fees | \$151,736.63 | \$151,736.63 | \$0.00 |
| Allison Byman, Chapter 11 Trustee Expenses | \$1,933.90 | \$1,933.90 | \$0.00 |
| Porter Hedges, LLP, Attorney for Trustee/D-I-P Fees | \$47,504.55 | \$47,504.55 | \$0.00 |
| Porter Hedges, LLP, Attorney for Trustee/D-I-P Expenses | \$3,745.64 | \$3,745.64 | \$0.00 |
| Husch Blackwell, LLP, Attorney for D-I-P Fees | \$702,196.46 | \$702,196.48 | \$0.00 |
| Sullivan Stoller Knight, LC, Special Counsel Fees | \$26,291.28 | \$26,291.28 | \$0.00 |
| Sullivan Stoller Knight, LC, Special Counsel Expenses | \$295.04 | \$295.04 | \$0.00 |
| Pamela Rose, Other Professional Fees | \$115,556.30 | \$115,556.30 | \$0.00 |

Total paid to prior Chapter 11 administrative expenses: \$1,049,259.82
 Remaining balance: \$0.00

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$248,466.19 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

| Claim No. | Claimant | Allowed Amt. of Claim | Interim Payments to Date | Proposed Payment |
|-----------|--------------------------------|-----------------------|--------------------------|------------------|
| 8 | Centerpoint Energy | \$4,399.24 | \$0.00 | \$0.00 |
| 10 | Rosrin Wuithiranyagool | \$715.29 | \$0.00 | \$0.00 |
| 11 | Abel A. Montalvo | \$237.15 | \$0.00 | \$0.00 |
| 42 | Comptroller of Public Accounts | \$1,000.00 | \$0.00 | \$0.00 |
| 51 | 5556 Gasmer Management, LLC | \$39,264.40 | \$0.00 | \$0.00 |
| 61 | Internal Revenue Service | \$202,850.11 | \$0.00 | \$0.00 |

Total to be paid to priority claims: \$0.00
 Remaining balance: \$0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$7,383,826.51 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

| Claim No. | Claimant | Allowed Amt. of Claim | Interim Payments to Date | Proposed Amount |
|-----------|---------------------------------|-----------------------|--------------------------|-----------------|
| 1B | Internal Revenue Service | \$129,002.44 | \$0.00 | \$0.00 |
| 2 | j2 Global Communications Inc | \$2,551.53 | \$0.00 | \$0.00 |
| 3 | W W Grainger, Inc. | \$1,923.82 | \$0.00 | \$0.00 |
| 4 | Tejas | \$3,136.34 | \$0.00 | \$0.00 |
| 5 | Sullivan Stoler & Resor | \$4,750.00 | \$0.00 | \$0.00 |
| 7 | GlaxoSmithKline Pharmaceuticals | \$9,790.00 | \$0.00 | \$0.00 |
| 9 | Jennifer Vester | \$200,000.00 | \$0.00 | \$0.00 |

| | | | | |
|-----|--|----------------|--------|--------|
| 13 | Logix Communications | \$4,583.17 | \$0.00 | \$0.00 |
| 14 | AmerisourceBergen Drug Corporation | \$26,781.26 | \$0.00 | \$0.00 |
| 15 | Jorge Raichman, M.D. | \$30,000.00 | \$0.00 | \$0.00 |
| 16 | TW Telecom Inc | \$1,408.48 | \$0.00 | \$0.00 |
| 17 | Dr. Eileen Starbranch | \$20,000.00 | \$0.00 | \$0.00 |
| 18 | Tip-In Enterprises | \$4,025.00 | \$0.00 | \$0.00 |
| 19 | Mid-West Electric Co., Inc. | \$2,470.79 | \$0.00 | \$0.00 |
| 21 | Airgas USA, LLC f/k/a Airgas SouthWest, Inc. | \$2,475.28 | \$0.00 | \$0.00 |
| 22 | United Auto Center | \$138,659.54 | \$0.00 | \$0.00 |
| 23 | TXU Energy Retail Company LLC | \$10,182.97 | \$0.00 | \$0.00 |
| 24 | Frank Blair | \$23,285.02 | \$0.00 | \$0.00 |
| 25 | Frank Blair | \$5,769.24 | \$0.00 | \$0.00 |
| 26 | Citgo Check Cash, Attn: Mohammad Uddin | \$10,848.29 | \$0.00 | \$0.00 |
| 27 | Nursefinders, LLC | \$319,893.03 | \$0.00 | \$0.00 |
| 28 | FedEx TechConnect, Inc. | \$312.12 | \$0.00 | \$0.00 |
| 29 | Medline Industries, Inc | \$2,833.68 | \$0.00 | \$0.00 |
| 30 | Medline Industries, Inc | \$7,049.48 | \$0.00 | \$0.00 |
| 31 | City of Houston, Texas | \$175.00 | \$0.00 | \$0.00 |
| 32 | City of Houston, Texas | \$6,705.18 | \$0.00 | \$0.00 |
| 34 | IPFS Corporation | \$4,786.10 | \$0.00 | \$0.00 |
| 35 | Elite Clinical Laboratory LLC | \$158,993.62 | \$0.00 | \$0.00 |
| 36 | ADT Security Services | \$701.26 | \$0.00 | \$0.00 |
| 37 | T-System, Inc. | \$2,302.26 | \$0.00 | \$0.00 |
| 38 | Xerox Corporation | \$2,832.90 | \$0.00 | \$0.00 |
| 39 | Verizon Wireless | \$10,638.41 | \$0.00 | \$0.00 |
| 40 | Verizon | \$6,372.12 | \$0.00 | \$0.00 |
| 41 | FireTron, Inc. | \$8,312.94 | \$0.00 | \$0.00 |
| 43 | Matthew Brams, MD | \$24,566.75 | \$0.00 | \$0.00 |
| 45 | Bhandara Family Living Trust | \$418,982.49 | \$0.00 | \$0.00 |
| 46 | 5556 Gasmer, L.P. | \$1,149,463.85 | \$0.00 | \$0.00 |
| 47 | Feroze Bhandara | \$1,110,635.09 | \$0.00 | \$0.00 |
| 48A | Iron Mountain Information Management, Inc. | \$16,143.34 | \$0.00 | \$0.00 |
| 50 | 5556 Gasmer Management, LLC | \$105,505.46 | \$0.00 | \$0.00 |
| 53 | Security Nationwide Services Inc. | \$16,331.15 | \$0.00 | \$0.00 |

| | | | | |
|----|--|----------------|--------|--------|
| 55 | Prognosis Health Information Systems, LLC | \$1,447,611.18 | \$0.00 | \$0.00 |
| 56 | Memorial Hermann Hospital System | \$2,108.75 | \$0.00 | \$0.00 |
| 57 | Luby's Fuddruckers Restaurants LLC | \$135,649.68 | \$0.00 | \$0.00 |
| 58 | Security Nationwide Services Inc. | \$16,331.15 | \$0.00 | \$0.00 |
| 59 | Texas Health and Human Services Commission | \$1.00 | \$0.00 | \$0.00 |
| 60 | Texas Health and Human Services Commission | \$1.00 | \$0.00 | \$0.00 |
| 63 | Remote Pharmacy Staffing | \$27,500.00 | \$0.00 | \$0.00 |
| 64 | TW Telecom Inc | \$3,980.54 | \$0.00 | \$0.00 |
| 65 | Texas Workforce Commission | \$3,881.70 | \$0.00 | \$0.00 |
| 66 | U.S. Dept of Health and Human Services | \$1,736,058.40 | \$0.00 | \$0.00 |
| 68 | Texas Workforce Commission | \$4,227.58 | \$0.00 | \$0.00 |
| 69 | Airgas USA, LLC | \$829.63 | \$0.00 | \$0.00 |
| 70 | Airgas USA, LLC | \$466.50 | \$0.00 | \$0.00 |

Total to be paid to timely general unsecured claims: \$0.00
Remaining balance: \$0.00

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows: NONE

Total to be paid to tardily filed general unsecured claims: \$0.00
Remaining balance: \$0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows: NONE

Total to be paid for subordinated claims: \$0.00
Remaining balance: \$0.00

Prepared By: /s/ Allison D. Byman
Allison D. Byman

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STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.